

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMERICAN ASSOCIATION OF
UNIVERSITY PROFESSORS, ET AL.,

Plaintiffs,

v.

MARCO RUBIO, ET AL.,

Defendants.

Case No. 25-10658-WGY

DEFENDANTS' SECOND MOTION TO COMPEL

Pursuant to Federal Rules of Civil Procedure 26 and 33, and the Court's Orders of June 2, June 10, and June 17, 2025, defendants respectfully request that the Court order plaintiffs to *immediately* (1) produce *all documents* responsive to the Government's discovery requests and (2) identify the remaining anonymous witnesses upon whom the complaint in this case is predicated. Plaintiffs have these records in their possession and know the identities of these witnesses. Yet, notwithstanding multiple requests and the *Court's Order issued twelve days ago*, Dkt # 136, Plaintiffs have refused to turn these records over or identify these witnesses. Instead, they have identified only one of the anonymous plaintiffs referenced in their complaint, and produced only a handful of documents relating to two witnesses, neither of whom are even referenced in the complaint. By attempting to back-door new witnesses at the 11th hour, plaintiffs appear to contemplate a trial-by-ambush, believing that the Court will allow them to offer new witnesses with new allegations that were not disclosed in the complaint.

The pre-trial conference was held on June 26 and trial will begin on July 7. The few witnesses plaintiffs have identified are located across the country and the globe, including in London, Beirut, and Italy, and there are fewer than five working days left before the start of trial. Plaintiffs are well aware that their dilatory identification of the witnesses underlying their complaint

will prejudice the Government's ability to vet and depose these witnesses, much less raise *in limine* any issues with respect to these witnesses before trial. There is no excuse for plaintiffs' refusal to disclose these witnesses' identities.

Plaintiffs filed their complaint more than three months ago, on March 25. Dkt. #1. Plaintiffs alleged the Government has effectuated an "ideological deportation policy," and that this alleged policy impaired the First Amendment rights of their numerous U.S. citizen and non-U.S. citizen plaintiffs. *E.g., id.* at ¶ 5. On June 5, 2025, the Government propounded to plaintiffs discovery requests narrowly focused upon the injuries alleged by the non-citizen plaintiffs in the complaint, whose identities were all left anonymous. As such, the information responding to these requests is either already in plaintiffs' possession or ready at hand.

On June 10, 2025, the Court issued an Order protecting plaintiffs' witnesses from professed fears of "retaliation." "No noncitizen providing evidence shall, by reason thereof, suffer any adjustment in their immigration status." Dkt. # 124. This Order categorically extinguished plaintiffs' reasons for not disclosing their witnesses' identities and locations. In response to this Order, the Government immediately emailed plaintiffs for the identities of their witnesses. Dkt # 136-2 at 2. Plaintiffs only identified two U.S. citizen witnesses, but not their locations. *Id.* at 7. The Government immediately repeated its request for plaintiffs to disclose the identities and locations of all their witnesses. *Id.* at 5. Plaintiffs still produced no witnesses or documents. On June 12, the Government sent *another* e-mail to plaintiffs asking for their witnesses' identities. Dkt # 136-3 at 4-5.

On June 15, 2025, the Government filed a Motion to Compel the names and locations of *all* of plaintiffs' witnesses and requested that Plaintiffs immediately turn over their discovery. Dkt # 136. On June 17, 2025, the Court granted the Government's motion to compel, indicating that "[t]he Court had already entered a protective order to guard those giving testimony from retribution." Dkt. # 139. Twelve days after this order, plaintiffs have still not complied.

Instead, plaintiffs identified only one of the anonymous plaintiffs underlying their complaint, and then added several individuals not referenced anywhere in their complaint.¹ Plaintiffs turned over a small number of documents regarding two witnesses not referenced in the complaint. These documents are ready at hand: indeed, at the deposition of Veena Dubal – plaintiffs’ general counsel and one of their primary witnesses – Ms. Dubal identified documents that were responsive to the Government’s discovery and that had not been disclosed. The Government has requested that plaintiffs turn over those documents. To date, plaintiffs have not turned over a single document created or maintained by Ms. Dubal.

Plaintiffs have known for more than three months the facts and witnesses underlying the complaint. They have known they would be required to turn over records relating to their claims. They filed for the expedited relief of a preliminary injunction and insisted they could be ready for trial in six weeks. But if plaintiffs are allowed to bull-rush a trial, they should concomitantly meet their basic obligation to produce the evidence underlying their claim. If they don’t have it, they may so state, and the Government will be entitled to an adverse inference that no such corroborating evidence exists. In any event, plaintiffs may not have it both ways. Nor should plaintiffs be permitted a trial by ambush by introducing new claims or witnesses at the last minute -- a well-worn tack that is not only contrary to the rules governing this proceeding, but is beneath the dignity of the Court.

Accordingly, the Government respectfully requests that the Court order plaintiffs to comply with its prior orders by *immediately* disclosing the names of all their witnesses and producing for each witness documents responsive to the Government’s production requests. If plaintiffs do not

¹ In an email exchange on June 24, 2025, Plaintiffs informed the Government for the first time that they intended to call only one of their eight anonymous plaintiffs as a witness at trial. *See* Exhibit A.

produce this evidence immediately, the Government respectfully requests that the Court strike any witnesses for whom discovery is not turned over by July 1, 2025 at 12:00 p.m.

Respectfully Submitted,

BRETT A. SHUMATE
Assistant Attorney General

DREW C. ENSIGN
Deputy Assistant Attorney General

Dated: June 30, 2025

William Kanellis
WILLIAM KANELIS

ETHAN B. KANTER
*Chief, National Security Unit
Office of Immigration Litigation
P.O. Box 878, Ben Franklin Station
Washington, D.C. 20001*

Counsel for Defendants

MEET AND CONFER CERTIFICATION

In accordance with Local Rules 7.1(2) and 37.1, Government counsel have repeatedly emailed with counsel for the Plaintiffs with regard to the information requested in this motion. Plaintiffs' counsel thus far have failed to provide the majority of what has been requested by the Government and ordered by the Court.

Date: June 30, 2025

By: /s/ William Kanellis
WILLIAM KANELIS
U.S. Department of Justice

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

Date: June 30, 2025

By: /s/ Ethan B. Kanter
ETHAN B. KANTER
U.S. Department of Justice

Exhibit A

From: [Murphy, Lindsay M. \(CIV\)](#)
To: [Noam Biale](#); [Jackson Busch](#); [Alexander A Abdo](#); [Alexandra Conlon](#); [Courtney Gans](#); [jameel.jaffer](#); [Michael Tremonte](#); [Ramya Krishnan](#); [Scott Wilkens](#); [Talya R Nevins](#); [Xiangnong Wang](#)
Cc: [Busen, Jesse \(CIV\)](#); [Hennes, Stefanie \(CIV\)](#); [Kanellis, William G. \(CIV\)](#); [Kanter, Ethan \(CIV\)](#); [Moss, Benjamin M. \(CIV\)](#); [Santora, Victoria M \(CIV\)](#); [Stone, Paul \(CIV\)](#); [Strokus, Jessica D. \(CIV\)](#); [Yen, Shawna \(USAMA\)](#)
Subject: RE: AAUP: Responses and Objections to Plaintiffs' Interrogatories
Date: Wednesday, June 25, 2025 12:18:00 AM

Hi Noam,

For the record, there is no gamesmanship here, and no effort to trick Plaintiffs into gutting their complaint. My message yesterday was clear: "No objection to Plaintiffs amending the complaint for the purpose of removing references to noncitizens whom plaintiffs do not intend to call as witnesses." That is what Jesse suggested in his June 17 message, and it's what I agreed to on the government's behalf yesterday. Neither of us made any suggestions or agreements about incorporating new individuals into the complaint, nor did we appreciate that such was your intent.

Lindsay

From: Noam Biale <NBiale@shertremonte.com>
Sent: Tuesday, June 24, 2025 11:43 PM
To: Murphy, Lindsay M. (CIV) <Lindsay.M.Murphy@usdoj.gov>; Jackson Busch <jackson.busch@knightcolumbia.org>; Alexander A Abdo <alex.abdo@knightcolumbia.org>; Alexandra Conlon <Aconlon@shertremonte.com>; Courtney Gans <CGans@shertremonte.com>; jameel.jaffer <jameel.jaffer@knightcolumbia.org>; Michael Tremonte <MTremonte@shertremonte.com>; Ramya Krishnan <ramya.krishnan@knightcolumbia.org>; Scott Wilkens <scott.wilkens@knightcolumbia.org>; Talya R Nevins <talya.nevins@knightcolumbia.org>; Xiangnong Wang <george.wang@knightcolumbia.org>
Cc: Busen, Jesse (CIV) <Jesse.Busen@usdoj.gov>; Hennes, Stefanie (CIV) <Stefanie.Hennes@usdoj.gov>; Kanellis, William G. (CIV) <William.G.Kanellis@usdoj.gov>; Kanter, Ethan (CIV) <Ethan.Kanter@usdoj.gov>; Moss, Benjamin M. (CIV) <Benjamin.M.Moss2@usdoj.gov>; Santora, Victoria M (CIV) <Victoria.M.Santora@usdoj.gov>; Stone, Paul (CIV) <Paul.F.Stone@usdoj.gov>; Strokus, Jessica D. (CIV) <Jessica.D.Strokus@usdoj.gov>; Yen, Shawna (USAMA) <Shawna.Yen@usdoj.gov>
Subject: [EXTERNAL] Re: AAUP: Responses and Objections to Plaintiffs' Interrogatories

Lindsay,

I was genuinely surprised to read your email. In the June 12 meet and confer, I specifically told your team that we were not planning to call all of the pseudonymous noncitizens identified in the complaint and that we planned to call other noncitizen witnesses who were *not* in the complaint but who had also been chilled (our opposition to your motion to compel was also explicit about this possibility, too. See Dkt. 138, at 2). That is why we proposed to narrow your requests to the noncitizen witnesses we actually planned to call.

Jesse responded to us and agreed to that proposal so long as we agreed to strike or withdraw from our complaint the allegations concerning noncitizens whom we no longer planned to present. I wrote him back and accepted that offer, stating specifically that we would **“conform the Complaint to the noncitizens who will actually be testifying.”** You then consented to an amended complaint on those terms. There was no ambiguity whatsoever in what we were planning to do, and then we did, in fact, send you a draft amended complaint that, other than a few corrections, changed only the descriptions of the noncitizens to conform to those who would actually be testifying. That you now are withdrawing your consent makes it clear that your engagement on this issue was simply gamesmanship to try to get us to gut our complaint and to set up a second motion to dismiss. I am truly disappointed by your response given the genuine efforts we have made to work collaboratively with you and the considerable time and resources we expended in what we believed was a sensible compromise.

Given your response, we will not move to amend the complaint, which we were never required to do in order to call different witnesses, and we also will not allow you to turn the discovery process into a fishing expedition into the identities of noncitizens who are too afraid of government retaliation to testify in this case.

Noam



Noam Biale

Sher Tremonte LLP

90 Broad Street, 23rd Floor | New York, NY 10004

tel: 212.300.2445 | fax: 212.202.4156

nbiale@shertremonte.com

www.shertremonte.com



From: Murphy, Lindsay M. (CIV) <Lindsay.M.Murphy@usdoj.gov>

Date: Tuesday, June 24, 2025 at 8:24 PM

To: Jackson Busch <jackson.busch@knightcolumbia.org>, Noam Biale <NBiale@shertremonte.com>, Alexander A Abdo <alex.abdo@knightcolumbia.org>, Alexandra Conlon <Aconlon@shertremonte.com>, Courtney Gans <CGans@shertremonte.com>, jameel.jaffer <jameel.jaffer@knightcolumbia.org>, Michael Tremonte <MTremonte@shertremonte.com>, Ramya Krishnan <ramya.krishnan@knightcolumbia.org>, Scott Wilkens <scott.wilkens@knightcolumbia.org>, Talya R Nevins <talya.nevins@knightcolumbia.org>, Xiangnong Wang <george.wang@knightcolumbia.org>

Cc: Busen, Jesse (CIV) <Jesse.Busen@usdoj.gov>, Hennes, Stefanie (CIV) <Stefanie.Hennes@usdoj.gov>, Kanellis, William G. (CIV) <William.G.Kanellis@usdoj.gov>, Kanter, Ethan (CIV) <Ethan.Kanter@usdoj.gov>, Moss, Benjamin M. (CIV) <Benjamin.M.Moss2@usdoj.gov>, Santora, Victoria M (CIV) <Victoria.M.Santora@usdoj.gov>, Stone, Paul (CIV) <Paul.F.Stone@usdoj.gov>, Strokus, Jessica D. (CIV) <Jessica.D.Strokus@usdoj.gov>, Yen, Shawna (USAMA) <Shawna.Yen@usdoj.gov>

Subject: RE: AAUP: Responses and Objections to Plaintiffs' Interrogatories

Hi Jackson,

Thank you for that clarification. We had not understood that Plaintiffs' intention was to substitute out witnesses referenced in the original complaint for entirely new witnesses with new factual claims. It's also not apparent from our notes or Plaintiffs' write-up of the June 12 meet and confer that such a proposal was ever specifically discussed. As noted in my June 23 email below, the government would not object to Plaintiffs amending the complaint by removing references to noncitizens whom Plaintiffs don't intend to call as witnesses, and into whom Plaintiffs have asked the government not to seek discovery. The proposed amended complaint you've shared with us today goes far beyond the scope of what the government agreed to, and we cannot consent. If you'd like to discuss this further tomorrow, please let us know.

Thanks,
Lindsay

From: Jackson Busch <jackson.busch@knightcolumbia.org>

Sent: Tuesday, June 24, 2025 7:37 PM

To: Murphy, Lindsay M. (CIV) <Lindsay.M.Murphy@usdoj.gov>; Noam Biale <NBiale@shertremonte.com>; Alexander A Abdo <alex.abdo@knightcolumbia.org>; Alexandra Conlon <Aconlon@shertremonte.com>; Courtney Gans <CGans@shertremonte.com>; Jameel Jaffer <jameel.jaffer@knightcolumbia.org>; Michael Tremonte <MTremonte@shertremonte.com>; Ramya Krishnan <ramya.krishnan@knightcolumbia.org>; Scott Wilkens <scott.wilkens@knightcolumbia.org>; Talya R Nevins <talya.nevins@knightcolumbia.org>; Xiangnong Wang <george.wang@knightcolumbia.org>

Cc: Busen, Jesse (CIV) <Jesse.Busen@usdoj.gov>; Hennes, Stefanie (CIV) <Stefanie.Hennes@usdoj.gov>; Kanellis, William G. (CIV) <William.G.Kanellis@usdoj.gov>; Kanter, Ethan (CIV) <Ethan.Kanter@usdoj.gov>; Moss, Benjamin M. (CIV) <Benjamin.M.Moss2@usdoj.gov>; Santora, Victoria M (CIV) <Victoria.M.Santora@usdoj.gov>; Stone, Paul (CIV) <Paul.F.Stone@usdoj.gov>; Strokus, Jessica D. (CIV) <Jessica.D.Strokus@usdoj.gov>; Yen, Shawna (USAMA) <Shawna.Yen@usdoj.gov>

Subject: [EXTERNAL] Re: AAUP: Responses and Objections to Plaintiffs' Interrogatories

Ms. Al-Ali is referenced in the original complaint as MESA Member B (at ¶¶ 71-73 in the

original). The other three are not referenced in the original complaint. We made clear to the government during the June 12 meet and confer that our noncitizen trial witnesses and the example noncitizens identified in the original complaint were different sets of people. The second paragraph of our proposed motion (which I reattach here for your convenience) explains the overlap to the Court.

From: Murphy, Lindsay M. (CIV) <Lindsay.M.Murphy@usdoj.gov>

Date: Tuesday, June 24, 2025 at 6:59 PM

To: Jackson Busch <jackson.busch@knightcolumbia.org>, Noam Biale <NBiale@shertremonte.com>, Alexander A Abdo <alex.abdo@knightcolumbia.org>, Alexandra Conlon <Aconlon@shertremonte.com>, Courtney Gans <CGans@shertremonte.com>, Jameel Jaffer <jameel.jaffer@knightcolumbia.org>, Michael Tremonte <MTremonte@shertremonte.com>, Ramya Krishnan <ramya.krishnan@knightcolumbia.org>, Scott Wilkens <scott.wilkens@knightcolumbia.org>, Talya R Nevins <talya.nevins@knightcolumbia.org>, Xiangnong Wang <george.wang@knightcolumbia.org>

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Subject: RE: AAUP: Responses and Objections to Plaintiffs' Interrogatories

This Message Is From an External Sender

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Thanks, Jackson. Since it's a bit unclear to us from the redline, could you please point out where Ms. Al-Ali, Ms. Arruzza, Ms. Hyska, and Mr. Nickel were referenced as anonymous witnesses in the original complaint?

From: Jackson Busch <jackson.busch@knightcolumbia.org>

Sent: Tuesday, June 24, 2025 4:49 PM

To: Murphy, Lindsay M. (CIV) <Lindsay.M.Murphy@usdoj.gov>; Noam Biale <NBiale@shertremonte.com>; Alexander A Abdo <alex.abdo@knightcolumbia.org>; Alexandra Conlon <Aconlon@shertremonte.com>; Courtney Gans <CGans@shertremonte.com>; Jameel Jaffer <jameel.jaffer@knightcolumbia.org>; Michael Tremonte <MTremonte@shertremonte.com>; Ramya Krishnan <ramya.krishnan@knightcolumbia.org>; Scott Wilkens

<scott.wilkins@knightcolumbia.org>; Talya R Nevins <talya.nevins@knightcolumbia.org>; Xiangnong Wang <george.wang@knightcolumbia.org>

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Subject: [EXTERNAL] Re: AAUP: Responses and Objections to Plaintiffs' Interrogatories

Yes, that timeline is fine with us. The only thing we'd note is that—while the redline may look messy at first glance—the changes are mostly confined to swapping the example noncitizen paragraphs. Thanks, Lindsay.

Best,
Jackson

From: Murphy, Lindsay M. (CIV) <Lindsay.M.Murphy@usdoj.gov>

Date: Tuesday, June 24, 2025 at 4:37 PM

To: Jackson Busch <jackson.busch@knightcolumbia.org>, Noam Biale <NBiale@shertremonte.com>, Alexander A Abdo <alex.abdo@knightcolumbia.org>, Alexandra Conlon <Aconlon@shertremonte.com>, Courtney Gans <CGans@shertremonte.com>, Jameel Jaffer <jameel.jaffer@knightcolumbia.org>, Michael Tremonte <MTremonte@shertremonte.com>, Ramya Krishnan <ramya.krishnan@knightcolumbia.org>, Scott Wilkins <scott.wilkins@knightcolumbia.org>, Talya R Nevins <talya.nevins@knightcolumbia.org>, Xiangnong Wang <george.wang@knightcolumbia.org>

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Subject: Re: AAUP: Responses and Objections to Plaintiffs' Interrogatories

This Message Is From an External Sender

This message came from outside your organization.

Hi Jackson,

Thanks for your message. We won't be able to respond by 6pm to confirm our position given the significant edits to the complaint requiring review and other short-fuse deadlines we are working under. Can we get back to you by 10am tomorrow?

Thanks,
Lindsay

From: Jackson Busch <jackson.busch@knightcolumbia.org>

Sent: Tuesday, June 24, 2025 4:05:43 PM

To: Murphy, Lindsay M. (CIV) <Lindsay.M.Murphy@usdoj.gov>; Noam Biale <NBiale@shertremonte.com>; Alexander A Abdo <alex.abdo@knightcolumbia.org>; Alexandra Conlon <Aconlon@shertremonte.com>; Courtney Gans <CGans@shertremonte.com>; Jameel Jaffer <jameel.jaffer@knightcolumbia.org>; Michael Tremonte <MTremonte@shertremonte.com>; Ramya Krishnan <ramya.krishnan@knightcolumbia.org>; Scott Wilkens <scott.wilkens@knightcolumbia.org>; Talya R Nevins <talya.nevins@knightcolumbia.org>; Xiangnong Wang <george.wang@knightcolumbia.org>

Cc: Busen, Jesse (CIV) <Jesse.Busen@usdoj.gov>; Hennes, Stefanie (CIV) <Stefanie.Hennes@usdoj.gov>; Kanellis, William G. (CIV) <William.G.Kanellis@usdoj.gov>; Kanter, Ethan (CIV) <Ethan.Kanter@usdoj.gov>; Moss, Benjamin M. (CIV) <Benjamin.M.Moss2@usdoj.gov>; Santora, Victoria M (CIV) <Victoria.M.Santora@usdoj.gov>; Stone, Paul (CIV) <Paul.F.Stone@usdoj.gov>; Strokus, Jessica D. (CIV) <Jessica.D.Strokus@usdoj.gov>; Yen, Shawna (USAMA) <Shawna.Yen@usdoj.gov>

Subject: [EXTERNAL] Re: AAUP: Responses and Objections to Plaintiffs' Interrogatories

Dear Lindsay,

Thank you for relaying the government's consent to our motion to amend the complaint. As previewed in our earlier email, the proposed changes are limited: we swap out noncitizens who will not testify for noncitizens who will, and make other minor edits to, for instance, account for the passage of time since the original complaint was filed. We've attached a redline so you can see the changes.

To avoid any miscommunication about the scope of the government's consent, we're sending the redline and motion to you before we file. Could you please confirm that the government consents to this filing? We're hoping to file by 6 PM today, so we'd be grateful for a response this afternoon. Happy to discuss if needed.

Best,
Jackson

From: Murphy, Lindsay M. (CIV) <Lindsay.M.Murphy@usdoj.gov>

Date: Monday, June 23, 2025 at 1:01 PM

To: Noam Biale <NBiale@shertremonte.com>, Alexander A Abdo <alex.abdo@knightcolumbia.org>, Alexandra Conlon <Aconlon@shertremonte.com>, Courtney Gans <CGans@shertremonte.com>, Jackson Busch <jackson.busch@knightcolumbia.org>, Jameel Jaffer <jameel.jaffer@knightcolumbia.org>, Michael Tremonte <MTremonte@shertremonte.com>, Ramya Krishnan <ramya.krishnan@knightcolumbia.org>, Scott Wilkens <scott.wilkens@knightcolumbia.org>, Talya R Nevins <talya.nevins@knightcolumbia.org>, Xiangnong Wang <george.wang@knightcolumbia.org>

Cc: Busen, Jesse (CIV) <Jesse.Busen@usdoj.gov>, Hennes, Stefanie (CIV) <Stefanie.Hennes@usdoj.gov>, Kanellis, William G. (CIV) <William.G.Kanellis@usdoj.gov>, Kanter, Ethan (CIV) <Ethan.Kanter@usdoj.gov>, Moss, Benjamin M. (CIV) <Benjamin.M.Moss2@usdoj.gov>, Santora, Victoria M (CIV) <Victoria.M.Santora@usdoj.gov>, Stone, Paul (CIV) <Paul.F.Stone@usdoj.gov>, Strokus, Jessica D. (CIV) <Jessica.D.Strokus@usdoj.gov>, Yen, Shawna (USAMA) <Shawna.Yen@usdoj.gov>

Subject: RE: AAUP: Responses and Objections to Plaintiffs' Interrogatories

This Message Is From an External Sender

This message came from outside your organization.

Hi Noam,

Please find a copy of our ROG responses and objections with verifications included.

No objection to Plaintiffs amending the complaint for the purpose of removing references to noncitizens whom plaintiffs do not intend to call as witnesses.

Lindsay

From: Noam Biale <NBiale@shertremonte.com>

Sent: Monday, June 23, 2025 12:38 PM

To: Murphy, Lindsay M. (CIV) <Lindsay.M.Murphy@usdoj.gov>; Alexander A Abdo <alex.abdo@knightcolumbia.org>; Alexandra Conlon <Aconlon@shertremonte.com>; Courtney Gans <CGans@shertremonte.com>; Jackson Busch <jackson.busch@knightcolumbia.org>; jameel.jaffer <jameel.jaffer@knightcolumbia.org>; Michael Tremonte <MTremonte@shertremonte.com>; Ramya

Krishnan <ramya.krishnan@knightcolumbia.org>; Scott Wilkens <scott.wilkens@knightcolumbia.org>; Talya R Nevins <talya.nevins@knightcolumbia.org>; Xiangnong Wang <george.wang@knightcolumbia.org>

Cc: Busen, Jesse (CIV) <Jesse.Busen@usdoj.gov>; Hennes, Stefanie (CIV) <Stefanie.Hennes@usdoj.gov>; Kanellis, William G. (CIV) <William.G.Kanellis@usdoj.gov>; Kanter, Ethan (CIV) <Ethan.Kanter@usdoj.gov>; Moss, Benjamin M. (CIV) <Benjamin.M.Moss2@usdoj.gov>; Santora, Victoria M (CIV) <Victoria.M.Santora@usdoj.gov>; Stone, Paul (CIV) <Paul.F.Stone@usdoj.gov>; Strokus, Jessica D. (CIV) <Jessica.D.Strokus@usdoj.gov>; Yen, Shawna (USAMA) <Shawna.Yen@usdoj.gov>

Subject: [EXTERNAL] Re: AAUP: Responses and Objections to Plaintiffs' Interrogatories

Thank you, Lindsay, these are received. In light of your invocations of privilege and certain interrogatories you have declined to answer, we will file a motion to compel those responses.

Regarding, Plaintiffs' discovery, since the Court has now entered the protective order, we plan to get you a production this week. We agree to the proposal suggested by Jesse in his 6/17 email that we conform the Complaint to the noncitizens who will actually be testifying. We assume we have your consent to file an amended complaint that does that?

Best,
Noam



Noam Biale

Sher Tremonte LLP

90 Broad Street, 23rd Floor | New York, NY 10004

tel: 212.300.2445 | fax: 212.202.4156

nbiale@shertremonte.com

www.shertremonte.com



From: Murphy, Lindsay M. (CIV) <Lindsay.M.Murphy@usdoj.gov>

Date: Saturday, June 21, 2025 at 8:48 PM

To: Alexander A Abdo <alex.abdo@knightcolumbia.org>, Alexandra Conlon <Aconlon@shertremonte.com>, Courtney Gans <CGans@shertremonte.com>, Jackson Busch <jackson.busch@knightcolumbia.org>, jameel.jaffer <jameel.jaffer@knightcolumbia.org>, Michael Tremonte <MTremonte@shertremonte.com>, Noam Biale <NBiale@shertremonte.com>, Ramya Krishnan <ramya.krishnan@knightcolumbia.org>, Scott Wilkens <scott.wilkens@knightcolumbia.org>, Talya R Nevins <talya.nevins@knightcolumbia.org>, Xiangnong Wang <george.wang@knightcolumbia.org>

Cc: Busen, Jesse (CIV) <Jesse.Busen@usdoj.gov>, Hennes, Stefanie (CIV)

<Stefanie.Hennes@usdoj.gov>, Kanellis, William G. (CIV)
<William.G.Kanellis@usdoj.gov>, Kanter, Ethan (CIV) <Ethan.Kanter@usdoj.gov>, Moss,
Benjamin M. (CIV) <Benjamin.M.Moss2@usdoj.gov>, Santora, Victoria M (CIV)
<Victoria.M.Santora@usdoj.gov>, Stone, Paul (CIV) <Paul.F.Stone@usdoj.gov>, Strokus,
Jessica D. (CIV) <Jessica.D.Strokus@usdoj.gov>, Yen, Shawna (USAMA)
<Shawna.Yen@usdoj.gov>

Subject: AAUP: Responses and Objections to Plaintiffs' Interrogatories

Hi Noam,

Attached, please find Defendants' responses and objections to Plaintiffs' interrogatories. Please note that we will be following up on Monday with our verifiers' signatures. They weren't all available to sign tonight, but we wanted to get our response to you as soon as they were ready.

Lindsay

Lindsay M. Murphy
Deputy Chief, National Security Unit
Office of Immigration Litigation – General Litigation and Appeals
Civil Division
U.S. Department of Justice
(202) 616-4018

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